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A: OTP teachers can be programmed for as many periods as other teachers in the school, but must be programmed for at least twenty, 45 minute teaching periods per week.

Q: If an OTP teacher is not programmed for as many teaching periods as other teachers, can I direct the teacher to conduct professional development or other tasks for the remaining periods?

A: Yes. If a teacher is not programmed for a full teaching schedule the remaining time (other than lunch and preparation periods) can be used for professional activities that the Principal can select and direct. This is different from a "Circular 6R" professional activity period, which the Principal cannot select or direct.

4. Preparation Periods.

Q: May a teacher use a preparation period as s/he sees fit?

A: No. Preparation periods are to be used for "professional preparation time in such a manner as to enable [teachers] to further their professional work for the purpose of their greater classroom effectiveness." Preparation periods are to be used for "preparation for classes, preparation of teaching material, presentation of or attendance at demonstration lessons, participation in teacher training, and conferences with the principal, with other teachers, with guidance counselors or with parents." (Source: Teachers' Contract, Article 7). Generally, teachers decide which of these activities to perform.

Q: Can I ask a teacher to spend time with a coach, or other person providing support, during his/her preparation period?

A: Only as part of a program to assist an unsatisfactory teacher or teacher who is at risk of a unsatisfactory rating you can direct that a coach or other person visit a teacher during his/her preparation period for the purpose of preparing or improving upon lessons. However, you should have documented the previous failure of the teacher to appropriately plan and deliver satisfactory lessons. *Please contact the Office of Labor Relations before directing the use of a preparation period.*

First Year New Teachers: During the first year of employment of a teacher who has not previously worked as a teacher, two preparation periods per week shall be designated as "professional support periods" and shall be used in a manner directed by you. For example, you may direct that these periods be used for observation of classes conducted by experienced teachers; or for consultation with others familiar with instructional strategies for the classroom, planning, curriculum and behavior management.

Second Year Uncertified Teachers: For uncertified teachers who are being mentored during their second year of employment, two preparation periods per week shall be designated as professional support periods to be used exclusively for mentoring.

~ Best Practice ~

Should you be involved in the defense of a removal of a tenured teacher for incompetence (i.e. 3020-a proceeding), it will be useful to demonstrate that you offered various forms of support such as coaches during preparation periods. You may want to document these efforts in "logs of assistance."

Q: Can I ask a teacher to cover another class during his/her preparation period?

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A: Yes. You may ask a teacher to cover another class during his or her preparation or professional period in the case of an "emergency," which includes the unavailability of a substitute teacher. To the extent possible, coverage assignments should be made on a rotational basis. (Source: Teachers' Contract, Article 7N4).

Q: Will a teacher receive additional compensation for covering another class during his/her preparation or professional period?

A: A teacher may be asked to cover one (1) class *per term* during his/her preparation or professional period without receiving additional compensation. Thereafter, the teacher will receive compensation at the coverage rate (currently \$30.69 per period).

Note: If an elementary school teacher loses a preparation period due to administering a standardized test, the preparation period must be rescheduled within five (5) school days. (Source: Teachers' Contract, Article 7).

Note: In an elementary school that has an eight period day, and therefore, one Circular 6R professional activity period per week, teachers are **NOT** compensated if such professional period is used for a coverage.

Q: Can a teacher provide additional service in a shortage area in lieu of preparation periods?

A: Yes. The Chancellor may authorize a school to permit teachers licensed in "shortage" license areas to teach up to 5 additional periods per week in lieu of preparation periods where DHR cannot fill a vacancy. Regularly appointed teachers with full teaching programs are eligible to work in these shortage areas. These shortage area positions will be filled in order of seniority. Teachers will be compensated for this additional service at the "special per session" rate specified in the Teachers Contract (currently \$39.61 per period). (Source: Teachers' Contract, Article 7O).

NOTE: The decision to permit these additional services is within the Chancellor's discretion and not subject to the grievance and arbitration procedure.

Q: If a teacher is in a non-teaching position, is that teacher entitled to preparation periods?

A: In high schools, teachers who do not have a full teaching load will receive preparation periods on a pro-rated basis (i.e. for every 5 teaching periods the teacher will receive 1 preparation period). If this is your practice in a junior high school, then you should continue the practice. If you are in a high school and it is your practice to not provide any preparation periods for teachers with less than a full teaching load, then continue that practice.

Q: Are IEP teachers entitled to preparation periods?

A: Yes. IEP teachers should have the same professional and preparation periods as other teachers.

5. Professional Activity Periods.

Q: What are "professional activity periods"?

A: Instead of traditional administrative assignments, teachers are required to choose a professional activity from a menu appropriate to the schools' needs; this contractual requirement is often referred to as "Circular 6R."

Q: How is the professional activity menu prepared?

A: The professional activity menu is agreed upon between you and the UFT Chapter Leader. However, if there is no agreement, you must use the menu contained in Circular 6R

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Q: Do I have any control regarding how a teacher utilizes the professional activity period?

A: Yes. You may not tell a teacher which choice to select, and in most cases you cannot direct how a teacher performs the activity (except when the teacher is tutoring children) however, you should take reasonable steps (e.g. spot-checking) to confirm that the teacher is actually working.

Note: As stated above, these restrictions only apply to Circular 6R professional periods. If a teacher does not have a full teaching load, you can select and direct other professional activities during the free periods. **Exception:** For certain unassigned periods, e.g. homeroom teachers, please contact your Regional Counsel or the Office of Labor Relations prior assignment of any free periods.

Note: Professional activity periods are **not** free periods, rather they are working assignments and should a teacher fail to adequately perform the work during these assignments that teacher may be disciplined and/or given an unsatisfactory rating.

Note: Homeroom assignments for intermediate and junior high schools are created through the regular SBO process and generally filled by volunteers. However, "if there is an insufficient number of volunteers to fill all homeroom assignments, the principal will assign teachers to fill the remaining positions on the basis of rotation and inverse school security." (Source: Special Circular No. 6R, 1997-1998)

6. Compensatory Time Positions.

Q: What are compensatory time positions?

A: A compensatory time position is a full-time or part-time position in lieu of teaching (e.g. programmer, dean, lunchroom coordinator) that is neither a teaching position nor professional activity.

Q: What are some instructional positions that are often confused with compensatory time positions?

A: The following positions are considered instructional positions, and therefore, you can create them without having to follow any of the rules regarding compensatory time positions: (a) mediation specialist, (b) Coordinator of Student Activities ("COSA"), (c) non-English coordinator, (d) bilingual coordinator, (e) narcotics education coordinator, and (f) health coordinator.

Q: How are compensatory time positions created?

A: Compensatory time positions can be created by one of three ways:

- **Principal's Discretion:** You have the discretion to create the following positions: 1 lunchroom coordinator position for each lunchroom (in all schools); 1 dean position for up to 1000 students and 2 deans for more than 1000 students (in middle and high schools); and 1 programmer position (in high schools). Note these positions are **in addition** to the compensatory time positions that you agree to create as explained below. (Source: Teachers' Contract, Article 7A6, 7B8, 7C4).
- **Recreated:** You and the UFT chapter may agree to the re-creation of compensatory time positions without an SBO vote: deans, programmers, crisis intervention teachers, grade advisors and, in high schools, attendance coordinators. The chapter must agree to recreate these positions each year. (Source: Teachers' Contract, Article 7A6, 7B8, 7C4).

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- Special SBO Process: You and the Union chapter may agree to modify the collective bargaining agreement, including the creation (recreation) of compensatory time positions pursuant to a Special SBO process, which requires agreement between you and the Union chapter leader and ratification by 55% of UFT members voting.

Q: How are compensatory time positions assigned?

A: These jobs are posted at your school and you may select the most senior qualified teacher who applies. However, a junior teacher who has not had a compensatory time assignment will have priority over a more senior teacher who has had such an assignment – other than with respect to the programmer position where this policy of rotation does not apply – provided that the job-related qualifications are met. (Source: Teachers' Contract, Article 7B3).

Q: How do I ensure that the most qualified teacher gets the job?

A: By ensuring that the job criteria reflects specific needs and calls for demonstrated "ability."

~ Best Practice ~

You have a voice in drafting criteria for compensatory time positions. It is important that you include specific criteria pertinent to the position. For example, for lunchroom coordinator and dean, you might want to include "demonstrated ability in behavior management."

7. Posting/Qualifications.

Q: Who establishes job qualifications for job postings?

A: You. Whenever you post for new jobs that you have the right to create – e.g. other teaching positions (defined below), certain compensatory time positions, per session positions – you have the final decision as to what the job qualifications are and you determine whether the person is qualified. Even though the contract may require "consultation" with the UFT chapter leader – which is not synonymous with "agreement" – you are the ultimate decision maker with respect to qualifications and selection.

Q: How can I guarantee that the most qualified person for the job is selected?

A: By being specific and clear in job descriptions and the requisite criteria. Whether you are preparing a job posting for a new assignment or participating on a personnel committee set forth specific qualifications that you believe are important for the job, rather than only basic experience and licensure qualifications.

For example, if a demonstrated ability to teach reading to at-risk children or to work with parents is important for a specific position, then this should be set forth in the job description.

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